

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA :

-against- :

DAVID ROSARIO, :

Defendant. :
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No. 96 Cr. 126 (JFK)

ORDER

JOHN F. KEENAN, United States District Judge:

On September 14, 2020, the Court received a letter from Defendant David Rosario in which he requests (1) leave to renew his motion for appointment of counsel to challenge two of his three life sentences; (2) an order requiring that a copy of his entire case file be provided to him; and (3) an order compelling the Government to return certain personal property. Rosario's requests are DENIED.

First, on July 6, 2016, the Court ordered Rosario to file a brief in support of his initial motion by no later than September 9, 2016. (ECF No. 783.) Rosario failed to do so. Accordingly, Rosario has abandoned his initial motion and the Court will not permit renewal.

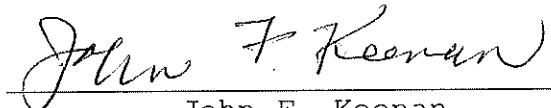
Second, if Rosario seeks a copy of his case file, he must make such a request to the Closed Records Room in the Daniel Patrick Moynihan United States Courthouse. See generally, Requesting Court Records, available at <https://nysd.uscourts.gov/programs/records/request>.

Finally, Rosario's third request is without merit because the Court has already once ordered the Government to locate and return Rosario's personal property. (ECF No. 792.) Indeed, on December 3, 2018, the Government filed a letter stating that it had conducted a diligent search for the requested records and had mailed to Rosario all of the relevant materials it found. (ECF No. 799.)

The Court will mail a copy of this Order to Rosario today.

SO ORDERED.

Dated: New York, New York
September 23, 2020



John F. Keenan
United States District Judge